

Congressman CHARLIE GONZALEZ, who chairs the Hispanic Caucus' Civil Rights Task Force, for his leadership and assistance on this issue. His dedication to advancing the interests of current and future Latino voters deserves great praise.

Today, I join my colleague in urging this House to vote against the conference report of the Help America Vote Act. Last year, I voted against this bill because despite some of the progress it made, it failed to provide key safeguards that would ensure every voter would be able to cast a ballot and have that ballot counted.

Now, almost one year later, we have a bill that has emerged from conference which includes some major improvements but also unfortunately includes some major new obstacles to Latino voters. Some of these obstacles came from the bill passed by the other body, and others were added in conference for the first time and at the last minute.

Together, these obstacles create a bill that on balance will hurt Latino voters more than it will help. It is a sad irony that this is the end result of a process that began as an effort to address the voting difficulties of the 2000 general elections, where many minority voters were denied their right to vote because of faulty voter lists, intimidation, a lack of voter education, or other obstacles. Rather than take bold, unequivocal strides towards expanding civil rights protections and welcoming our nation's fastest growing bloc of minority voters, this bill is full of half-steps and backward steps that will dampen the voice of the Hispanic American electorate.

The major obstacle to Latino voters in this bill is the inclusion of a new voter identification requirement. This will be the first time in contemporary election law history that an identification requirement is federally mandated. The bill requires a voter to show valid photo identification, a copy of a current utility bill, a bank statement, government check or other government document that shows the name and address of the voter.

While it sounds reasonable to require identification at the polls in order to combat fraud—an effort I certainly support when done with genuine intent to make the voting process fair—the requirements in this conference report would particularly disenfranchise low income people, especially women and the elderly, who, for example, live in multi-person households and are less likely to drive, and therefore do not possess a driver's license, do not receive a utility bill in their name and may not have any of the other forms of identification listed in the bill.

In the past, such provisions have been overturned in federal court for violating the Voting Rights Act. Furthermore, the U.S. Department of Justice has prohibited such identification requirements because of the disparate impact they have on minority voters.

In addition to the identification requirement, which was in the other body's bill, new impediments to Latinos were added into the bill at the eleventh hour during conference. The most egregious of which is the creation of the "citizenship check-off box" mandate.

The conference agreement now imposes on states a new mandate that they cannot register voters who inadvertently miss checking off the citizenship box on their voter registration forms. This mandate does not apply to those who fail to mark the age check-off box.

This inconsistency makes no sense, as both citizenship and age are equal requirements to being eligible to vote. There is no acceptable reason why one criteria should be treated differently than the other.

Under this provision, it is entirely plausible that a citizen who is otherwise eligible to vote, who mistakenly misses the check-off box on citizenship, will either not be notified of the error or not be notified with sufficient time to rectify the mistake before the state cut-off date for registration.

Therefore, this change in the law could result in a state or local registrar targeting the voter registration forms of those with surnames that some people consider "foreign," to find any that left the citizenship box blank and then invalidate them, without ever telling the applicant. When the voter shows up to vote, he or she will not be on the voter rolls and then if offered a provisional ballot, that ballot will never be counted, because only the provisional ballots of successfully registered voters are counted.

Lastly, Mr. Speaker, this conference report adds barriers to voter registration efforts through adding needless administrative red tape. Under the conference report, someone who registers to vote, who has been issued a current and valid driver's license, must include the license number on the registration form. Therefore, if citizens happen not to have their license with them when they register to vote, their voter registration form will not be processed. This constitutes a weakening of existing voter rights law, and creates barriers to the effectiveness of voter registration drives, as citizens would have to register at a later time if they happen not to have their driver's license with them on their first attempt to register.

For those who have not been issued a driver's license, the bill requires the last four digits of their social security number, which is then cross-checked against the Social Security Administration database—a database riddled with errors, especially in recording the names of Hispanic women.

And for those people with weak memories, who could easily forget their Social Security number, incorrectly record that number, they will have their voter registration form invalidated.

Besides these obstacles, the bill does include some improvements to our election system: more access to provisional ballots; the ability to verify a ballot before casting it; the required posting of voting information; and the creation of statewide voter list databases. However, a great deal of the bill's new benefits will be unavailable to many Latinos and others because of the new barriers the bill erects.

On balance, this bill does not deserve our support. It is not better than no bill at all. I urge all my colleagues to vote against this conference report and revisit election reform in the next Congress, where we can hopefully do the job right.

CONFERENCE REPORT ON H.R. 3295, HELP AMERICA VOTE ACT OF 2002

SPEECH OF

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 2002

Mr. BARCIA. Mr. Speaker, I rise in support of H.R. 3295, the Help America Vote Act of 2002.

Chairman BOEHLERT and Chairman EHLERS of the Science Committee have already spoken about the need for voluntary, technology-neutral standards that address the accuracy, integrity and security of voting products and systems. They have explained and clarified the intent of the standards and research and development provisions in H.R. 3295. I fully agree with and support their statements.

In 1975, long before any other federal agency had looked at our voting equipment, the National Institute of Standards and Technology (NIST) reported on the technical deficiencies of voting systems in use. If we had heeded the recommendations of the 1975 report and NIST's subsequent 1988 report, we wouldn't be debating this bill today. The National Institute of Standards and Technology (NIST) will be an objective and technically qualified voice in the development of performance-based technical standards and guidelines. In addition, NIST will provide needed technical guidance on the research and development projects needed to improve our voting systems.

I would like to thank Chairman BOEHLERT and Chairman EHLERS for working with me in the initial development of the provisions related to technical standards and a research and development program. I especially want to thank my good friend STENY HOYER, the Ranking Member on the House Administration Committee, and Chairman NEY for their strong advocacy in retaining these provision in the final conference report. I also want to congratulate them on successfully concluding a long and difficult conference.

In closing, I would like to remind everyone that the basic cornerstone of trust that Americans place in our government is their belief and faith in the accuracy, integrity, and reliability of our voting systems. H.R. 3295 will strengthen the public's confidence in our voting systems.

I would urge my colleagues to vote "yes" on H.R. 3295.

SPEECH OF

HON. PETER HOEKSTRA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 2002

Mr. HOEKSTRA. Mr. Speaker, I am pleased that we are here today to consider H.R. 5601, the "Keeping Children and Families Safe Act of 2002" which reauthorizes and improves the Child Abuse Prevention and Treatment Act (CAPTA), the Adoption Opportunities program, and the Abandoned Infants Act.

While I recognize and am disappointed that we were not able to come to agreement on all issues of the original bill, H.R. 3839, the bill